

03-29-05

JFW



PATENT
Customer No. 22,852
Attorney Docket No. 08702.0068-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-------------------------------|---|----------------------------|
| In re Application of: |) | |
| |) | |
| Zhang et al. |) | Group Art Unit: 1615 |
| |) | |
| Application No.: 10/779,638 |) | Examiner: Not Yet Assigned |
| |) | |
| Filed: February 18, 2004 |) | |
| |) | |
| For: METHODS AND COMPOSITIONS |) | Confirmation No.: 9082 |
| FOR HEALING AND REPAIR OF |) | |
| ARTICULAR CARTILAGE |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.
Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The following is a concise statement of relevance of the non-English language documents.

1. JP63181770 discloses compositions comprising artificial bone cured and formed by mixing calcium triphosphate, acid, protein, and water.
2. JP5277174 discloses methods for producing calcium phosphate and gelation bioimplantation materials.
3. JP51-0233901A discloses bioimplantable compositions comprising calcium phosphates, carboxymethyl ketene, collagen, and gelatin.

Applicants include these references because they were cited in other BMP applications assigned to Wyeth, Applicants' assignee. Applicants have not considered or characterized these references, but are simply submitting them for the Examiner's consideration.

Applicants will continue to submit all documents that are material to patentability as they become aware of them.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: 3/28/05

By: 
Elizabeth E. McNamee
Reg. No. 54,696

Complete if Known

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STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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| Application Number | 10/779,638 |
| Filing Date | February 18, 2004 |
| First Named Inventor | Zhang |
| Art Unit | 1615 |
| Examiner Name | Not yet assigned |
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| | | | | First Named Inventor | Zhang |
| | | | | Art Unit | 1615 |
| | | | | Examiner Name | Not yet assigned |
| Sheet | 2 | of | 18 | Attorney Docket Number | 08702.0068-01000 |

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| Exami ner Initials | Cite No. ¹ | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Translati on ⁶ |
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| | | | | First Named Inventor | Zhang |
| | | | | Art Unit | 1615 |
| | | | | Examiner Name | Not yet assigned |
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| | | | Filing Date | February 18, 2004 | |
| | | | First Named Inventor | Zhang | |
| | | | Art Unit | 1615 | |
| | | | Examiner Name | Not yet assigned | |
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| | | | First Named Inventor | Zhang | |
| | | | Art Unit | 1615 | |
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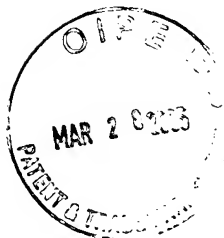
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